



CITY COUNCIL
ATLANTA, GEORGIA

RESOLUTION

05 -R- 0837

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS IN THE LAWSUIT STYLED DOUGLAS SHEAFFER V. CITY OF ATLANTA, ET AL., SUPERIOR COURT OF FULTON COUNTY; CIVIL ACTION NUMBER 2004-CV-83725, IN THE AMOUNT OF \$8,000.00; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISBURSE THE SETTLEMENT AMOUNT FROM FUND ACCOUNT CENTER NO. 2J01 (WATER SEWER FUND) 529017 (PROPERTY/LIQUIDATION) Q30001 (DEPUTY COMMISSIONER, TREATMENT & COLLECTIONS); AND FOR OTHER PURPOSES.

WHEREAS, the Plaintiff, Douglas Sheaffer, acting Pro Se, filed the lawsuit styled Douglas Sheaffer v. City of Atlanta, Mayor of Atlanta, City Council President & City Attorney; Superior Court of Fulton County; Civil Action Number 2004-CV-83725, against the above named defendants on March 26, 2004;

WHEREAS, the lawsuit alleges nuisance, trespass, and a myriad of other charges pursuant to ongoing property damage and soil erosion occurring on plaintiff's property located at 3267 Pine Meadow Road in Atlanta; and

WHEREAS, the lawsuit seeks to hold the defendants liable in negligence and nuisance for property damages in excess of \$300,000.00; and

WHEREAS, the City Attorney's office has thoroughly investigated the facts and circumstances involved in this matter and has determined that an offer of settlement to the Plaintiff is the most efficient legal course of action; and

WHEREAS, it has been determined that it is desirable and in the best interests of the City and the plaintiff to settle this lawsuit for \$8,000.00 and the plaintiff, acting pro se, has agreed to accept such a settlement.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, hereby resolves as follows:

SECTION 1. The City Attorney is authorized to settle the case of Douglas Sheaffer v. City of Atlanta, Mayor of Atlanta, City Council President & City Attorney; Superior Court of Fulton County; Civil Action Number 2004-CV-83725, for the sum of Eight Thousand Dollars (\$8,000.00).

SECTION 2. The Chief Financial Officer is authorized to pay the total sum of \$8,000.00 to the Plaintiff, Douglas Sheaffer, from Account No. 2J01 (Water Sewer Fund) 529017 (Property/Liquidation) Q30001 (Deputy Commissioner, Treatment & Collection), in exchange for the Plaintiff's execution and delivery to the City of a Final Payment and General Release and a filed Notice of Voluntary Dismissal With Prejudice.

A true copy,

Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

May 16, 2005
May 23, 2005

RCS# 6676
5/16/05
2:05 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 3-15

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	B Fauver	Y Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I

		05-16-05 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 05-O-0655 2. 05-O-0656 3. 05-O-0657 4. 05-O-0658 5. 05-O-0659 6. 05-O-0762 7. 05-O-0778 8. 05-O-0781 9. 05-O-0871 10. 05-O-0874 11. 05-O-0669 12. 05-O-0684 13. 05-O-0685 14. 05-O-0850 15. 05-O-0702 16. 05-O-0703 17. 05-O-0704 18. 05-O-0845 19. 05-R-0822 20. 05-R-0823 21. 05-R-0824 22. 05-R-0827 23. 05-R-0828 24. 05-R-0834 25. 05-R-0881 26. 05-R-0821 27. 05-R-0872 28. 05-R-0830 29. 05-R-0875 30. 05-R-0838	31. 05-R-0839 32. 05-R-0677 33. 05-R-0832 34. 05-R-0833 35. 05-R-0836 36. 05-R-0837 37. 05-R-0878 38. 05-R-0818 39. 05-R-0820 40. 05-R-0826 41. 05-R-0835 42. 05-R-0785 43. 05-R-0786 44. 05-R-0787 45. 05-R-0788 46. 05-R-0789 47. 05-R-0790 48. 05-R-0791 49. 05-R-0792	50. 04-R-1789 51. 05-R-0793 52. 05-R-0795 53. 05-R-0799 54. 05-R-0800 55. 05-R-0801 56. 05-R-0802 57. 05-R-0805 58. 05-R-0806 59. 05-R-0807 60. 05-R-0810 61. 05-R-0812 62. 05-R-0814

(Do Not Write Above This Line)
05-12-0837

A RESOLUTION

BY THE PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE
SETTLEMENT OF ALL CLAIMS IN THE
LAWSUIT STYLED DOUGLAS SHEAFFER
V. CITY OF ATLANTA, ET AL., SUPERIOR
COURT OF FULTON COUNTY; CIVIL
ACTION NUMBER 2004-CV-83725, IN THE
AMOUNT OF \$8,000.00; AUTHORIZING
THE CHIEF FINANCIAL OFFICER TO
DISBURSE THE SETTLEMENT AMOUNT
FROM FUND ACCOUNT CENTER NO. 2J01
(WATER SEWER FUND) 529017
(PROPERTY/LIQUIDATION) Q30001
(DEPUTY COMMISSIONER, TREATMENT
& COLLECTIONS); AND FOR OTHER
PURPOSES

ADOPTED BY

Jerry DeLoach

- ☐ **CONSENT REFER** MAY 16 2005
- ☐ **REGULAR REPORT REFER**
- ☐ **ADVERTISE & REFER** **COUNCIL**
- ☐ **1st ADOPT 2nd READ & REFER**
- ☐ **PERSONAL PAPER REFER**

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

PSLA Committee

Date

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Members

Action

Fav, Adv, Hold (see rev. side)

Other

Refer To

Refer To

Committee

Committee

Date

Date

Chair

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Members

Refer To

Refer To

FINAL COUNCIL ACTION

- ☐ 2nd ☐ 1st & 2nd ☐ 3rd
- ☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

MAY 16 2005

MAYOR'S ACTION

Handwritten signature